

FREJKA PLLC
Elise S. Frejka
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Attorneys for Lyle Berman Family Partnership, LLP s/h/a The Lyle Berman Family Partnership, Neil Sell, in his capacity as Trustee for the Julie Berman Irrevocable Trust U/TA 8/9/89, the Bradley Berman Irrevocable Trust U/TA 8/9/89, the Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89, and the Amy Berman Irrevocable Trust U/TA 8/9/89, Stanley Taube, Julie Berman Irrevocable Trust U/TA 8/9/89, Bradley Berman Irrevocable Trust U/TA 8/9/89, Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89, and Amy Berman Irrevocable Trust U/TA 8/9/89, each in their capacity as a Partner of The Lyle Berman Family Partnership, Julie Berman, Bradley Berman, Jessie Lynn Berman, and Amy Berman

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

THE LYLE BERMAN FAMILY PARTNERSHIP,
NEIL I. SELL, in his capacity as Trustee for the
Julie Berman Irrevocable Trust U/TA 8/9/89, the
Bradley Berman Irrevocable Trust U/TA 8/9/89, the
Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89
and the Amy Berman Irrevocable Trust U/TA

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05071 (SMB)

8/9/89, STANLEY TAUBE, in his capacity as Trustee for the Julie Berman Irrevocable Trust U/TA 8/9/89, the Bradley Berman Irrevocable Trust U/TA 8/9/89, the Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89 and the Amy Berman Irrevocable Trust U/TA 8/9/89, JULIE BERMAN IRREVOCABLE TRUST U/TA 8/9/89, in its capacity as Partner of The Lyle Berman Family Partnership, BRADLEY BERMAN IRREVOCABLE TRUST U/TA 8/9/89, in its capacity as Partner of The Lyle Berman Family Partnership, JESSIE LYNN BERMAN IRREVOCABLE TRUST U/TA 8/9/89, in its capacity as Partner of The Lyle Berman Family Partnership, AMY BERMAN IRREVOCABLE TRUST U/TA 8/9/89, in its capacity as Partner of The Lyle Berman Family Partnership, JULIE BERMAN, BRADLEY BERMAN, JESSIE LYNN BERMAN, and AMY BERMAN,

Defendants.

NOTICE OF SUBSTITUTION OF COUNSEL AND PROPOSED ORDER

PLEASE TAKE NOTICE that the law firm of Frejka PLLC, 733 Third Avenue, New York, New York 10017, shall be substituted in place of the law firm of Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, New York 10036 as counsel of record for Lyle Berman Family Partnership, LLP s/h/a The Lyle Berman Family Partnership, Neil Sell, in his capacity as Trustee for the Julie Berman Irrevocable Trust U/TA 8/9/89, the Bradley Berman Irrevocable Trust U/TA 8/9/89, the Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89, and the Amy Berman Irrevocable Trust U/TA 8/9/89, Stanley Taube, Julie Berman Irrevocable Trust U/TA 8/9/89, Bradley Berman Irrevocable Trust U/TA 8/9/89, Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89, and Amy Berman Irrevocable Trust U/TA 8/9/89, each in their capacity as a Partner of The Lyle Berman Family Partnership, Julie Berman, Bradley Berman, Jessie Lynn Berman, and Amy Berman (the “Defendants”) in this adversary proceeding. All notices given or required to be given in this adversary proceeding shall be given to and served upon the following:

FREJKA PLLC
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New York, New York 10017
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jrappaport@frejka.com

PLEASE TAKE FURTHER NOTICE THAT the Defendants have knowledge of and
consent to this substitution of counsel.

Dated: New York, New York
March 23, 2015

Dated: New York, New York
March 23, 2015

KRAMER LEVIN NAFTALIS &
FRANKEL LLP

FREJKA PLLC

By: /s/ Philip Bentley
Philip Bentley
1177 Avenue of the Americas
New York, New York 10036
Telephone: (212) 715-9100
Facsimile: (212) 715-8000

By: /s/ Elise S. Frejka
Elise S. Frejka
Jason S. Rappaport
733 Third Avenue
New York, New York 10017
Telephone: (212) 641-0800

Dated: New York, New York
March __, 2015

SO ORDERED:

HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES
LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

THE LYLE BERMAN FAMILY PARTNERSHIP, NEIL
I. SELL, in his capacity as Trustee for the Julie Berman
Irrevocable Trust U/TA 8/9/89, the Bradley Berman
Irrevocable Trust U/TA 8/9/89, the Jessie Lynn Berman
Irrevocable Trust U/TA 8/9/89 and the Amy Berman
Irrevocable Trust U/TA 8/9/89, STANLEY TAUBE, in his
capacity as Trustee for the Julie Berman Irrevocable Trust
U/TA 8/9/89, the Bradley Berman Irrevocable Trust U/TA
8/9/89, the Jessie Lynn Berman Irrevocable Trust U/TA
8/9/89 and the Amy Berman Irrevocable Trust U/TA
8/9/89, JULIE BERMAN IRREVOCABLE TRUST U/TA
8/9/89, in its capacity as Partner of The Lyle Berman
Family Partnership, BRADLEY BERMAN
IRREVOCABLE TRUST U/TA 8/9/89, in its capacity as
Partner of The Lyle Berman Family Partnership, JESSIE
LYNN BERMAN IRREVOCABLE TRUST U/TA 8/9/89,
in its capacity as Partner of The Lyle Berman Family
Partnership, AMY BERMAN IRREVOCABLE TRUST
U/TA 8/9/89, in its capacity as Partner of The Lyle Berman
Family Partnership, JULIE BERMAN, BRADLEY
BERMAN, JESSIE LYNN BERMAN, and AMY
BERMAN,

Defendants.

Adv. Pro. No. 10-05071 (SMB)

DECLARATION OF ELISE S. FREJKA

I, ELISE S. FREJKA declare as follows:

1. I am a member of the firm of Frejka PLLC and a member of the Bar of this Court. Pursuant to Local Civil Rule 1.4 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I submit this declaration in support of the accompanying notice and proposed order substituting Frejka PLLC for Kramer Levin Naftalis & Frankel LLP as counsel for Lyle Berman Family Partnership, LLP s/h/a The Lyle Berman Family Partnership, Neil Sell, in his capacity as Trustee for the Julie Berman Irrevocable Trust U/TA 8/9/89, the Bradley Berman Irrevocable Trust U/TA 8/9/89, the Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89, and the Amy Berman Irrevocable Trust U/TA 8/9/89, Stanley Taube, Julie Berman Irrevocable Trust U/TA 8/9/89, Bradley Berman Irrevocable Trust U/TA 8/9/89, Jessie Lynn Berman Irrevocable Trust U/TA 8/9/89, and Amy Berman Irrevocable Trust U/TA 8/9/89, each in their capacity as a Partner of The Lyle Berman Family Partnership, Julie Berman, Bradley Berman, Jessie Lynn Berman, and Amy Berman (the “Defendants”) in the above-captioned adversary proceeding. I also have read Local Bankruptcy Rule 2090-1 of the Local Rules of the United States Bankruptcy Court for the Southern District of New York.
2. The Defendants have requested and consent to this substitution of counsel.
3. It is not expected that any delay or prejudice will result to any party in this proceeding from this substitution of counsel.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
and correct.

Dated: New York, New York
March 23, 2015

By: /s/ Elise S. Frejka
Elise S. Frejka